

APPLICATION REPORT – FUL/349701/22
Planning Committee – 7th December 2022

Registration Date: 28th August 2022
Ward: Waterhead

Application Reference: FUL/349701/22
Type of Application: Full Application

Proposal: Change of use of Public House to 11 bed HMO (House in Multiple Occupation).

Location: 250-252 Huddersfield Road, Oldham, OL4 2RB

Case Officer: Sophie Leech
Applicant: Mr T Mushtaq
Agent: Mr Lee Hollingworth

INTRODUCTION

In accordance with the Council's Constitution and Scheme of Delegation the application is referred to Planning Committee for determination as the applicant is a familial relation of an elected councillor (Councillor Shaid Mushtaq).

RECOMMENDATION

It is recommended that the application is approved for the reasons set out in this report.

THE SITE

The site relates to an end terrace property formerly known as 'The Farmers Boy' public house, located on the southern side of Huddersfield Road, Oldham. The site is neighboured by ASDA supermarket to the east and retail units to the west along the terraced row. To the front and rear of the site lies residential properties.

THE PROPOSAL

Planning permission is sought for the change of use of the former public house to an 11 bed HMO (House in Multiple Occupation).

RELEVANT PLANNING HISTORY

N/A

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The following policies are relevant to the determination of this application:

Policy 9 - Local Environment; and,
Policy 20 – Design.

CONSULTATIONS

Highways Engineer: No objections. Cycle storage required.

Environmental Health: No objections. Kitchen needs 3 cooking units.

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters. One response has been received with a general dislike of the proposal.

PLANNING CONSIDERATIONS

Principle

Policy 1 promotes development which supports the vitality and viability of designated Centres such as Oldham and residential uses in these areas can help support the shops and services they host. Furthermore, Policies 3 and 5 aim to ensure residential uses are located in highly sustainable locations in respect of access to key services and public transport options. In this regard, the site is within a 10-minute walk to shopping areas and a few minutes' walk to the nearest bus stop on Huddersfield Road. Therefore, for the purposes of Policy 5, the site is 'very highly accessible'.

Policy 11 states that houses in multiple occupancy will not be permitted unless it can be demonstrated that the proposal does not adversely affect the local character of the area, the residential and workplace amenity of current, future and neighbouring occupants, and traffic levels and the safety of road users. Consideration of these matters is provided below. However, in summary, and having regard to the requirements of policies 1, 3 and 5, the principle of the proposed development is acceptable.

Background

The site which is currently vacant was previously a Public House which ceased trading December 2021 but has not been a profitable business since pre covid restrictions on public buildings.

The application building is a 2 storey (plus basement) traditional brick built with rear extensions to the original with a slate roof. There are raised levels to the rear, a yard directly behind the building then a retaining wall with land behind it.

Residential Amenity

DPD policy 9 seeks to protect the amenities of the occupants of residential properties by ensuring adequate outlook, levels of natural light and privacy.

Policy 9 states that consideration must be given to the impact of a proposal on the local environment. It seeks to ensure that development, amongst other matters, is not located where it would be adversely affected by neighbouring land uses, does not cause significant harm to the amenity of the occupants of the development or to existing and future neighbouring occupants or users through impacts including safety, security and noise.

The existing window openings will be maintained and all windows will serve habitable rooms. There will be no extensions to the buildings, therefore no further harm to what exists at present. There is very limited overlooking towards the rear as the closest residential property to the blank gable end / rear garden to the first property on Palm Street is approximately 20 metres. The resultant impact is negligible and therefore the proposal complies with Policy 9.

It is important to consider the amenity of future occupiers of the proposed development. In this regard, it is considered that all the rooms within the HMO comply with both the National Space Standards Document (DCLG, 2015) and the Standards for Houses in Multiple Occupation document (Oldham Council, 2010). Therefore, the proposed accommodation is considered a suitable size to meet the needs of future occupiers having regard to the requirements of Policy 9.

The Council's Environmental Health department have raised no objections to the proposal and following their comments, three cooking units have been include within the proposed kitchen area.

Following the above assessment, the proposed development complies with Policy 9.

Design & Appearance

Externally, the building will remain unchanged other than that there will be one new ground floor side window and one small ground floor window opening on the rear elevation. These changes are minimal and do not result in any harm to the building.

As such, the proposed development accords with Policy 20.

Highways

The proposal does not provide for any off-road parking, however there is a small area of land to the rear of the site which could be used as off-road parking at a later date should the need arise by future occupiers.

The Council's Highway Engineer has been consulted regarding the proposals and has raised no objections on highway safety grounds as the change of use is in a sustainable location with excellent links to public transport and access to a wide range of amenities.

Secure cycle storage has been provided and this has been conditioned to be installed and provided for future residents and this must be installed prior to occupation of the property.

As such, the proposed development accords with Policy 9.

Crime Impact Assessment

The Greater Manchester Police Crime Prevention Unit (CPU) have been consulted on the proposal and the department have recommended that a Crime Impact Assessment be submitted prior to determining the application. The Applicant has provided this and it has been subsequently approved by the CPU. The team have requested that the assessment forms part of a condition to ensure measures recommended within the assessment are implemented. As such, the findings are accepted and the proposed development is considered to have an acceptable impact upon the area, having regard to security and potential crime/disturbance.

CONCLUSION

It is considered that the conversion of the building to a HMO, together with a single storey rear extension, will not harm the character of the surrounding area and is acceptable in principle.

RECOMMENDED CONDITIONS

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The use of the building hereby approved shall not commence until the secure cycle parking has been implemented in accordance with details as shown on ref: 3981.2 Rev A. The approved facility shall remain available for users of the development thereafter. Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
4. The development hereby approved shall be implemented in full accordance with Section 4 (Physical Security) of the Crime Impact Assessment (Version A: 25/10/2022 ref: 2022/0475/CIS/01). REASON – In order to ensure adequate security measures having regard to Policy 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):

